

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES KLUEBER,	:	CIVIL ACTION
Petitioner,	:	
v.	:	NO. 10-5165
DAVID A. VARANO, et al.,	:	
Respondents.	:	

ORDER

AND NOW, this *26<sup>th</sup>* day of *April*, 2012, upon consideration of the Petition for Writ of Habeas Corpus (Docket No. 1), Petitioner's Memorandum of Law in Support of the Petition (Docket No. 10), the Response (Docket No. 12), and Petitioner's Reply (Docket No. 13), and after review of the Report and Recommendation ("R&R") of United States Magistrate Judge Henry S. Perkin dated March 14, 2012, **IT IS ORDERED** that:

1. the R&R is **APPROVED** and **ADOPTED**;
2. the Petition for Writ of Habeas Corpus is **DENIED** with prejudice and **DISMISSED** without an evidentiary hearing; and
4. the Clerk of Court shall mark this action **CLOSED**.

BY THE COURT:

  
C. DARNELL JONES, JR.